

12-15-06

STATES  
United District Court CA# 06-461  
-S.L.R.

PETER T. DALLO  
CLERK OF COURT!

844 King Street  
US Court House  
Wilmington, DE  
19801

CASE CAPTION: CLARK V. REGIONAL MEDICAL  
: FIRST CORRECTIONAL, ET AL.

1. - AMENDMENTS!

GRIEVANCES THAT WERE UNRESOLVED  
AND-5-EXHIBIT CASE LAWS INCLUDING  
CRUEL AN UNUSUAL PUNISHMENT, MENTAL  
ANGUISH AND E.T.C.!

Angelo Lee Clark  
D.C.C.

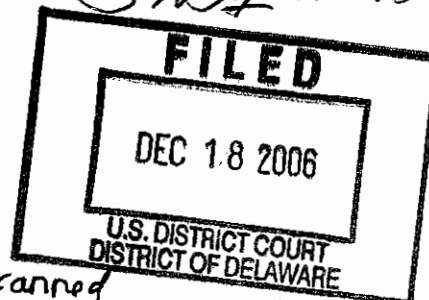
1181 Paddock Rd.

Smyma, De

19977

S.B.I.# 123209

Thanks  
Kindly  
For your time  
and  
Patience!



BD scanned

IM Angelo Luc Clark  
93209 UNIT 19-B-Tier  
SBH# 123209 upper-2-cell  
DELAWARE CORRECTIONAL CENTER  
1181 PADDOCK ROAD  
SMYRNA, DELAWARE 19977



**U.S. MAIL**  
Office of the District Court!  
United States District Court  
844 N. King Street, Lockbox #18  
Wilmington, Delaware  
19801-3570

Westlaw

350HK1546

Page 1

## Most Cited Cases

**H** [Cited 3 times for this legal issue]Griswold v. Morgan, 2005 WL 1763765

350H SENTENCING AND PUNISHMENT

350HVII Cruel and Unusual Punishment in General

350HVII(H) Conditions of Confinement

350Hk1546

W.D.N.Y., 2005

A claim for negligence or malpractice does not constitute a viable Eighth Amendment claim of cruel or unusual punishment by deliberate indifference to a prisoner's serious medical need. U.S.C.A. Const. Amend. 8.

**P** [Cited 3 times for this legal issue]Jackson v. Fauver, 2004 WL 2165842

D.N.J., 2004

To establish a violation of his Eighth Amendment right to adequate medical care, an inmate must show (1) a serious medical need, and (2) acts or omissions by prison officials that indicated deliberate indifference to that need.

U.S.C.A. Const. Amend. 8.**H** [Cited 2 times for this legal issue]Carter v. Fagin, 2005 WL 767882

S.D.N.Y., 2005

State inmate's claim that prison physician refused to treat his jaw condition by permitting him to have warm water compresses was sufficient to satisfy objective and subjective components of deliberate indifference to serious medical needs claim, in light of inmate's allegations that he was suffering great pain, treatment had been recommended and had proven effective in alleviating that pain, no other treatment had proven effective, and physician knew compresses were effective yet discontinued them, despite recommendations of all physicians and dentists who had examined inmate. U.S.C.A. Const. Amend. 8.

**H** [Cited 2 times for this legal issue]Wynn v. Mundo, 2005 WL 1027040

M.D.N.C., 2005

In determining whether prison officials are deliberately indifferent to a prisoner's serious medical needs, under the Eighth Amendment, the court may generally rely on medical records concerning examination and treatment of the prisoner. U.S.C.A. Const. Amend. 8.

**P** [Cited 2 times for this legal issue]Jackson v. Fauver, 2004 WL 2165842

D.N.J., 2004

For purposes of Eighth Amendment deliberate indifference claim, a "serious medical need" is a need diagnosed by a physician that the physician believes to require medical treatment, or a need that is so obvious that a lay person would easily recognize the necessity for a doctor's attention. U.S.C.A. Const. Amend. 8.

See publication Words and Phrases for other judicial constructions and definitions.

**P** [Cited 2 times for this legal issue]Jackson v. Fauver, 2004 WL 2165842

D.N.J., 2004

Prisoner raised genuine issues of material fact as to whether prison defendants were deliberately indifferent to his serious medical need for treatment for his hernia and vascular disease, precluding summary judgment in favor of prison defendants on Eighth Amendment claim; however, prisoner failed to establish Eighth Amendment claim with regard to the treatment he received for his rectal bleeding since prisoner was unable to show how he was injured by the alleged improper monitoring of that problem. U.S.C.A. Const. Amend. 8.

**C** [Cited 2 times for this legal issue]Davis v. Reilly, 2004 WL 1551588

E.D.N.Y., 2004

Claims under § 1983 of inadequate medical care by prison officials are governed by Eighth Amendment if plaintiff is convicted prisoner, and by Fourteenth Amendment if plaintiff is pre-trial detainee. U.S.C.A. Const. Amend. 8, 14; U.S.C.A. § 1983.

SHU LAW LIBRARY

Exhibit 2

**H** [Cited 2 times for this legal issue]  
Pabon v. Wright, 2004 WL 628784  
S.D.N.Y., 2004

State prisoners' allegations that physicians failed to advise them of risks associated with use of Interferon to treat Hepatitis C, and improperly "forced" them to undergo liver biopsies before beginning Interferon treatment, did not evince deliberate indifference to prisoners' conditions, as required to support claims for violation of Eighth Amendment; allegations amounted to claims for mere negligence or, at most, medical malpractice. U.S.C.A. Const. Amend. 8.

**H** [Cited 2 times for this legal issue]  
Brown v. Mitchell, 2004 WL 489037  
E.D.Va., 2004

Plaintiff asserting claim under Eighth Amendment for prison guards' deliberate indifference to inmate's serious medical needs must show that: (1) objectively medical need was serious; and (2) subjectively guards acted with culpable state of mind, that is, they failed to act in face of subjectively known risk. U.S.C.A. Const. Amend. 8.

**H** [Cited 1 time for this legal issue]  
Jones v. Goord, 2006 WL 1489240  
S.D.N.Y., 2006

Injury and disease allegedly caused by double-celling in New York's maximum-security prisons did not create an unreasonable risk of serious damage to inmates' health, in violation of the Eighth Amendment; although nine inmates had been injured getting into or out of the top bunk in their cells and six inmates caught colds from their cellmates, there was no evidence that the design or placement of the bunks was unsafe, or that any inmate actually contracted, or was even exposed to, a serious disease from his cellmate in a double cell. U.S.C.A. Const. Amend. 8.

**C** [Cited 1 time for this legal issue]  
Glass v. Rodriguez, 417 F.Supp.2d 943  
N.D.Ill.E.Div., 2006

Where a prison physician provides constitutionally acceptable care, his or her inability to effect a final cure is not proof of deliberate indifference to a prisoner's serious medical needs, in violation of the Eighth Amendment. U.S.C.A. Const. Amend. 8.

**C** [Cited 1 time for this legal issue]  
Baird v. Alameida, 407 F.Supp.2d 1134  
C.D.Cal., 2005

Inmate's personal disagreement with prison officials about his need for a particular medical treatment cannot give rise to an Eighth Amendment civil rights claim based on deliberate indifference. U.S.C.A. Const. Amend. 8; 42 U.S.C.A. § 1983.

**H** [Cited 1 time for this legal issue]  
Roach v. SCI Graterford Medical Dept., 398 F.Supp.2d 379  
E.D.Pa., 2005

\* Prison official cannot be found liable under Eighth Amendment "unless official knows of and disregards excessive risk to inmate health and safety; official must both be aware of facts from which the inference could be drawn that substantive risk of serious harm exists and he must also draw that inference, i.e., court must determine whether prison official acted or failed to act despite his knowledge of substantial risk of serious harm, and allegations of inadvertent failure to provide adequate medical care or negligent diagnosis fail to establish requisite culpable state of mind. U.S.C.A. Const. Amend. 8.

**C** [Cited 1 time for this legal issue]  
Martin v. Somerset County, 2005 WL 2077098  
D.Me., 2005

County jail officials did not show deliberate indifference to inmate, in violation of Eighth Amendment, when they did not apply cardio-pulmonary resuscitation (CPR) after inmate hanged himself using bed sheet, and officials cut him down; inmate was warm and appeared to be breathing, and it was only few minutes until emergency medical team arrived. U.S.C.A. Const. Amend. 8.

**H** [Cited 1 time for this legal issue]  
Williams v. First Correctional Medical, 2005 WL 1714322  
D.Del., 2005

Claim of violation of inmate's Eighth Amendment right to adequate medical care requires showing that: (1) inmate



350HK1546

Page 3

EXHIBIT 3

had serious medical need, and (2) defendant was aware of that need and was deliberately indifferent to it. U.S.C.A. Const. Amend. 8.

**H** [Cited 1 time for this legal issue]

Williams v. First Correctional Medical, 2005 WL 1714322

D.Del., 2005

Physician's failure to treat state prison inmate's hernia as inmate considered proper, i.e. placing inmate on surgical call with outside hospital, could not constitute deliberate indifference to inmate's medical needs; inmate had been treated for condition in question, and inmate made no showing that treatment was not adequate and proper, but rather merely disagreed with treatment. U.S.C.A. Const. Amends. 8, 14.

**C** [Cited 1 time for this legal issue]

Allah v. Goord, 405 F.Supp.2d 265

S.D.N.Y., 2005

MENTAL ANGUISH

**\*** Eighth Amendment deliberate indifference standard contains both objective and subjective prong, and under the objective prong inmate must prove that deprivation alleged is objectively sufficiently serious such that inmate was denied the minimal civilized measure of life's necessities; this includes not only deprivations of medical care that produce physical torture and lingering death, but also less serious denials which cause or perpetuate pain, U.S.C.A. Const. Amend. 8.

**H** [Cited 1 time for this legal issue]

Wynn v. Mundo, 367 F.Supp.2d 832

M.D.N.C., 2005

The one and one-half day delay between prisoner's first complaints of flu-like symptoms, including aches, chills, and fever, and his subsequent treatment and diagnosis of pneumonia by physician did not constitute deliberate indifference by prison officials to prisoner's health and safety, for purpose of prisoner's § 1983 Eighth Amendment claim; the delay did not deny prisoner the minimal civilized measures of life's necessities and it caused no substantial harm. U.S.C.A. Const. Amend. 8; 42 U.S.C.A. § 1983.

**C** [Cited 1 time for this legal issue]

O.K. v. Bush, 344 F.Supp.2d 44

D.D.C., 2004

"Deliberate indifference" standard for assessment of claims of deficient medical care was developed to assess the claims of prisoners under the Eighth Amendment; the standard of care for a pre-trial detainee who has not yet been convicted, however, is governed by the Due Process Clause of the Fifth and Fourteenth Amendments rather than by the Eighth Amendment. U.S.C.A. Const. Amends. 5, 8, 14.

**P** [Cited 1 time for this legal issue]

Veloz v. New York, 2004 WL 2274777

S.D.N.Y., 2004

To establish a claim of inadequate medical care in violation of the Eighth Amendment, a prisoner must allege acts or omissions demonstrating deliberate indifference to a substantial risk of serious harm. U.S.C.A. Const. Amend. 8.

**P** [Cited 1 time for this legal issue]

Veloz v. New York, 2004 WL 2274777

S.D.N.Y., 2004

**\*** The "sufficiently serious" requirement for a prisoner's Eighth Amendment claim of inadequate medical care contemplates a condition of urgency, one that may produce death, degeneration, or extreme pain. U.S.C.A. Const. Amend. 8. in your case Mental Anguish is extreme pain that's hard 2 Prove

**P** [Cited 1 time for this legal issue]

Veloz v. New York, 2004 WL 2274777

S.D.N.Y., 2004

Alleged failure of medical providers to give prisoner prescription medication to manage his back pain, if proven, did not constitute deliberate indifference to his immediate serious medical needs in violation of Eighth Amendment, where there was no evidence that alleged failure was anything other than medical decision, and providers' decision was situated within overall treatment plan that included X-rays, MRIs, CT scan, EMG, and numerous consultations with specialists. U.S.C.A. Const. Amend. 8.

**P** [Cited 1 time for this legal issue]

Veloz v. New York, 2004 WL 2274777

S.D.N.Y., 2004

Differences in opinion by a doctor and a prisoner over the appropriate medication to be prescribed is a disagreement

↑ MY MENTAL ISSUE IS  
THAT I AM MANIC-BIPOLAR DEPRESSIVE  
WITH A TOUCH OF STBZU!  
WHY DID THE INADEQUACY OF  
THIS MEDICAL VENDOR'S TREAT ME LIKE  
AN EXPERIMENT OR  
EXHIBIT OR RESEARCH MONK  
INSTEAD LIKE A HUMAN  
BEING WITH A ILLNESS  
GET ON TOP OF THIS A.S.A.P.!!!  
THAT'S NOT HARD TO PROVE BECAUSE THEY THE  
MED VENDOR'S FOR O.C.C. KNOW MY DIAGNOSIS!

350HK1546

Page 4

Exhibit 4

over a treatment plan and does not implicate the Eighth Amendment. U.S.C.A. Const.Amend. 8.

⌞ [Cited 1 time for this legal issue]

Velozy v. New York, 339 F.Supp.2d 505  
S.D.N.Y.,2004

To establish deliberate indifference to medical needs in violation of the Eighth Amendment, a prisoner must demonstrate that the defendants actually wished him harm, or at least, were totally unconcerned with his welfare.

U.S.C.A. Const.Amend. 8.

⌞ [Cited 1 time for this legal issue]

Jackson v. Fauver, 2004 WL 2165842  
D.N.J.,2004

READ THIS 4 YOURSELF

In light of expert's opinion and findings that prison defendants failed to properly monitor and control the level of sugar in prisoner's blood, and that such failure resulted in irreversible damage to prisoner's heart and kidneys, prisoner raised genuine issues of material fact as to whether prison defendants were deliberately indifferent to his serious need for medical care for diabetes, precluding summary judgment in favor of prison defendants on Eighth Amendment claim; however, prisoner failed to establish Eighth Amendment claim with regard to the treatment of his cardiac problems since he failed to show that defendants ignored or refused to treat his cardiac problems or that he was exposed to treatment under unsanitary conditions. U.S.C.A. Const.Amend. 8.

⌞ [Cited 1 time for this legal issue]

Jackson v. Fauver, 2004 WL 2165842  
D.N.J.,2004

\* In evaluating a claim for deliberate indifference to an inmate's medical needs, a court should consider the severity of the inmate's medical problems, and the potential for harm if the medical care is "denied or delayed;" court may also consider the actual harm that resulted from the defendant's alleged indifference to the inmate's serious medical needs. U.S.C.A. Const.Amend. 8.

⌞ [Cited 1 time for this legal issue]

Jackson v. Fauver, 2004 WL 2165842  
D.N.J.,2004

Prisoner failed to establish that prison defendants were deliberately indifferent to his serious need for medical care for his nasal tumor and headaches; prisoner did not demonstrate that he suffered from a serious medical condition that defendants ignored since his medical records showed that he was promptly seen by prison physicians, an outside specialist, and a neurologist, and that a CT scan revealed only the presence of a non-threatening cyst or polyp. U.S.C.A. Const.Amend. 8.

Ⓒ [Cited 1 time for this legal issue]

Evan v. Manos, 2004 WL 2126744  
W.D.N.Y.,2004

An inmate's mere disagreement over the proper medical treatment does not create a constitutional claim under the Eighth Amendment; so long as the treatment given is adequate, the fact that a prisoner might prefer a different treatment does not give rise to an Eighth Amendment violation. U.S.C.A. Const.Amend. 8.

Ⓒ [Cited 1 time for this legal issue]

Evan v. Manos, 2004 WL 2126744  
W.D.N.Y.,2004

\* Although a delay in medical care can demonstrate deliberate indifference to a prisoner's medical needs, a prisoner's Eighth Amendment rights are violated only where the delay reflects deliberate indifference to a serious risk of health or safety, to a life-threatening or fast-degenerating condition or to some other condition of extreme pain that might be alleviated through reasonably prompt treatment. U.S.C.A. Const.Amend. 8.

Ⓒ [Cited 1 time for this legal issue]

Evan v. Manos, 2004 WL 2126744  
W.D.N.Y.,2004

Prison doctor's alleged conduct of delaying inmate's examination and treatment for an alleged back injury did not amount to deliberate indifference in violation of the Eighth Amendment; inmate was given pain relievers both before and after he was evaluated by physician, x-rays were negative, there was no evidence the x-ray results led, or should have led, doctor to alter inmate's course of treatment, and there was no evidence that doctor intended to cause inmate to suffer unnecessary pain. U.S.C.A. Const.Amend. 8.

Ⓒ [Cited 1 time for this legal issue]

Kunze v. Rauser, 332 F.Supp.2d 1269



350HK1546

Page 5

Exhibit 5

D.N.D.S.W.Div.,2004

State prison employees were not deliberately indifferent to serious medical need of inmate, as required to establish Eighth Amendment violation, when he was examined by eight physicians, three of them throat specialists, after announcing he was suffering from throat cancer, was subjected to battery of tests which produced negative cancer results, and was treated for lesser conditions discovered as result of examination. U.S.C.A. Const.Amend. 8.

**C** [Cited 1 time for this legal issue]

Rodriguez v. Yin, 2004 WL 1663999

W.D.N.Y.,2004

Prison doctors were not deliberately indifferent to serious medical needs of prisoner whom they treated for severe back pain in following conservative course of treatment involving pain medication and anti-inflammatory drugs, and continuing that treatment after outside specialist suggested without conclusively diagnosing slight herniation of one disc; there was no misdiagnosis, malpractice, or suggestion that doctors made condition worse. U.S.C.A. Const.Amend. 8.

**P** [Cited 1 time for this legal issue]

Carrasquillo v. City of New York, 324 F.Supp.2d 428

S.D.N.Y.,2004

In the context of claim that government employee was deliberately indifferent to prisoner's medical needs, "deliberate indifference" has both an objective and a subjective element: the objective prong requires that the alleged deprivation be sufficiently serious, in the sense that a condition of urgency, one that may produce death, degeneration, or extreme pain, exists, while the subjective prong requires that the charged official have the requisite state of mind, equivalent to criminal recklessness, of knowledge of, and conscious disregard for, this serious risk. U.S.C.A. Const.Amend. 8.

See publication Words and Phrases for other judicial constructions and definitions.

**C** [Cited 1 time for this legal issue]

Rumsey v. Michigan Dept. of Corrections, 2004 WL 1682906

E.D.Mich.S.Div.,2004

Difference of opinion between inmate and physician with respect to diagnosis and treatment does not rise to level of constitutional deprivation. U.S.C.A. Const.Amend. 8.

**H** [Cited 1 time for this legal issue]

Pabon v. Wright, 2004 WL 628784

S.D.N.Y.,2004

State prisoners' allegations that physicians delayed treatment of their Hepatitis C by requiring them to undergo prerequisite liver biopsies did not evince deliberate indifference to prisoners' conditions, as required to support claims for violation of Eighth Amendment; evidence of minimal delays in treatment suggested at most several acts of negligence. U.S.C.A. Const.Amend. 8.

**C** [Cited 1 time for this legal issue]

Lawrence v. Virginia Dept. of Corrections, 2004 WL 537989

E.D.Va.,2004

In addition to establishing that prison personnel acted with deliberate indifference to serious medical need, to succeed on § 1983 claim for violation of Eighth Amendment, prisoner must show that he or she suffered from serious injury as result of defendants' conduct. U.S.C.A. Const.Amend. 8; 42 U.S.C.A. § 1983.

**C** [Cited 1 time for this legal issue]

Lawrence v. Virginia Dept. of Corrections, 2004 WL 537989

E.D.Va.,2004

Prison physician was not deliberately indifferent to inmate's serious medical needs, in violation of Eighth Amendment, where physician examined him 13 times over 18-month period, diagnosed inmate's conditions, wrote numerous prescriptions, and ordered several tests. U.S.C.A. Const.Amend. 8.

**P** [Cited 1 time for this legal issue]

House v. County of Macomb, 2004 WL 329337

E.D.Mich.S.Div.,2004

When prison officials are so deliberately indifferent to the serious medical needs of prisoners as to unnecessarily and wantonly inflict pain, they impose cruel and unusual punishment in violation of the Eighth Amendment. U.S.C.A. Const.Amend. 8.

**H** [Cited 1 time for this legal issue]

Williams v. Koenigsmann, 2004 WL 315279

**FORM #585**

## MEDICAL GRIEVANCE

**FACILITY:**

P. C. C.

**DATE SUBMITTED:**

10/11/06

INMATE'S NAME:

ANGELO LEE CLARK

**SBI#:**

123209

**HOUSING UNIT:**~~interior - stru~~

**CASE #:**

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## SECTION #1

(NURSE SUPERVISOR)

(GAIL) VERY URGENT

DATE &amp; TIME OF MEDICAL INCIDENT:

10/11/66 3:30-A.M.

MORNING MEDS

**TYPE OF MEDICAL PROBLEM:**

I ANGELO LEE CLARK, WAS AWAKENED BY NURSE 'CHERYL' FOR MY A.M. - MED'S, AND SHE GAVE ME THREE (2) PERCENT IN VOLUME ADDAVANT TABLETS ALONG WITH MY HEART, AND HIGH BLOOD PRESSURE MED'S ALONG WITH THE REST OF MY MORNING MED'S, AND I'M ONLY SUPPOSE TO HAVE ONE (2) PERCENT VOLUME OF ADDAVANT AT MORNING MEDS, AND ONE AT NIGHT P.M. - MED'S.

GRIEVANT'S SIGNATURE: \_\_\_\_\_

Engels Lu Clark

DATE:

10/11/06

**ACTION REQUESTED BY GRIEVANT:**

I ALREADY TALKED TO MY ATTORNEY  
ABOUT THIS ISSUE, I'M JUST TIRED  
SUFFERING OF AN INADEQUATE MEDICAL

DATE RECEIVED BY MEDICAL UNIT:

RECEIVED

**NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.**

NOV 06 2006

AROUND THE TIME I <sup>(HEART STOPPED)</sup> <sup>WENT TO KENT</sup> <sup>GEN HOSP!</sup> <sup>INMATE GRIEVANCE OFFICE</sup> <sup>SAME NIGHT</sup> ~~HAD~~ HEART ATTACK



Instructions for Submitting a Regular Grievance

Inmates are required, per DOC Procedure 4.4 [Inmate Grievance Procedure] to attempt to resolve complaints prior to filing a regular grievance. Grievances are to be submitted within seven(7) days from the date of the occurrence or incident or within seven days after the inmate became aware of the incident. The grievance is to be placed in the grievance box located in each housing unit.

Only one issue per grievance form will be addressed. If the grievance is submitted on a weekend or a holiday, it will be recieved during the next working day.

---

Return of Unprocessed Grievance

Intake Action: This Grievance Form is being returned to the inmate under the provisions outlined in DOC Procedure 4.4 "Inmate Grievance Procedure" for the following reason(s):

\_\_\_\_\_ **Vulgar/Abusive or Threatening Language.** The language that is unacceptable has been highlighted. The grievance may be resubmitted omitting this language.

\_\_\_\_\_ **Non-Grievable.** This issue has been defined as non-grievable in accordance with DOC Policy 4.4. These procedures have their own appeal process that must be followed. \_\_\_\_\_ Disciplinary Action \_\_\_\_\_ Parole Decision  
\_\_\_\_\_ Classification Action

\_\_\_\_\_ **Request.** Requests are not processed through the grievance procedure. Please correspond with the appropriate office to secure the information that is requested.


\_\_\_\_\_ **Duplicate Grievance(s).** This issue has been addressed previously in Grievance # \_\_\_\_\_.

\_\_\_\_\_ **Original Grievances must be submitted to the Inmate Grievance Chairperson.** Photocopies are not accepted.

\_\_\_\_\_ **Inquiry on behalf of other inmates.** Inmates cannot submit grievances for other inmates.

\_\_\_\_\_ **Expired filing period.** Grievance exceeds seven(7) days from date of occurrence.

*ACTION REQUEST MUST BE SPECIFIC*

  
Inmate Grievance Chairperson

11-7-06  
Date

DCC Delaware Correctional Center  
 Smyrna Landing Road  
 SMYRNA DE, 19977  
 Phone No. 302-653-9261

Date: 11/08/2006

## GRIEVANCE REPORT

### OFFENDER GRIEVANCE INFORMATION

|                                 |  |                       |
|---------------------------------|--|-----------------------|
| Offender Name : CLARK, ANGELO L | SBI# : 00123209  | Institution : DCC     |
| Grievance # : 79263             | Grievance Date : 10/28/2006                                  | Category : Individual |
| Status : Unresolved             | Resolution Status :  | Resol. Date :         |
| Grievance Type: Medical Staff   | Incident Date : 10/28/2006                                   | Incident Time : 17:15 |
| IGC : Merson, Lise M            | Housing Location : Bldg D/Infirmary Tier D, Cell 190, Single |                       |

### OFFENDER GRIEVANCE DETAILS

**Description of Complaint:** Inmate claims: I was being observed for my PM med's that was distributed by a white male nurse and Ms. Lorraine and I was given to take at least 6 or 7 extra pills that I normally don't take when Betty or Tonya dispense the PM meds. I know for a fact what med's I take because I've been taking them for 30 years since becoming manic-depressive and Bipolar and some times a little schizophrenic.

**Remedy Requested :** I fear for my life and one day if possible I hope I can get my health back in order, if I can be treated on a professional level!

### INDIVIDUALS INVOLVED

| Type | SBI # | Name |
|------|-------|------|
|      |       |      |

### ADDITIONAL GRIEVANCE INFORMATION

|                                 |  |
|---------------------------------|--|
| Medical Grievance : YES         | Date Received by Medical Unit : 11/08/2006 |
| Investigation Sent : 11/08/2006 | Investigation Sent To : Rodweller, Deborah |
| Grievance Amount :              |  |

DCC Delaware Correctional Center  
Smyrna Landing Road  
SMYRNA DE, 19977  
Phone No. 302-653-9261

Date: 11/08/2006

**INFORMAL RESOLUTION****OFFENDER GRIEVANCE INFORMATION**

|  |  |                              |
|--|--|------------------------------|
| <b>Offender Name :</b> CLARK, ANGELO L | <b>SBI# :</b> 00123209   | <b>Institution :</b> DCC     |
| <b>Grievance # :</b> 79263             | <b>Grievance Date :</b> 10/28/2006                                   | <b>Category :</b> Individual |
| <b>Status :</b> Unresolved             | <b>Resolution Status:</b>  | <b>Inmate Status :</b>       |
| <b>Grievance Type:</b> Medical Staff   | <b>Incident Date :</b> 10/28/2006                                    | <b>Incident Time :</b> 17:15 |
| <b>IGC :</b> Merson, Lise M            | <b>Housing Location :</b> Bldg D/Infirmary, Tier D, Cell 190, Single |                              |

**INFORMAL RESOLUTION****Investigator Name :** Rodweller, Deborah**Date of Report :** 11/08/2006**Investigation Report :****Reason for Referring:****Offender's Signature:** \_\_\_\_\_**Date :** \_\_\_\_\_**Witness (Officer) :** \_\_\_\_\_



FORM #585

MEDICAL GRIEVANCE

FACILITY: D.C.C. Sha-B-1-7#  
 INMATE'S NAME: ANGELO LEE CLARK  
 HOUSING UNIT: Sha-1-7

DATE SUBMITTED: 10/20/06  
 SBI#: 123209  
 CASE #: 80243

SECTION #1

DATE & TIME OF MEDICAL INCIDENT: 3:30-A.M-MEDS

## TYPE OF MEDICAL PROBLEM:

I INMATE, ANGELO LEE CLARK WAS GIVEN MY MORNING MEDS BY A NURSE WHO WAS DISPENSING A.M MEDS ON B-TIER AT THE TIME, AND I ASKED HER WHERE WAS MY NITRO PATCH AND SHE IGNORED ME, AND KEPT WALKING, I EVEN ASKED HER WAS SHE GOING TO TAKE MY BLOOD PRESSURE EVEN THOUGH I HAVE A ORDER FOR IT.

RECEIVED

OCT 26 2006

Inmate Grievance Unit

GRIEVANT'S SIGNATURE:

Angelo Lee Clark

DATE:

10/20/06

ACTION REQUESTED BY GRIEVANT:

I PERSONALLY UNDERSTAND THAT NOT ONLY THE MEDICAL VENDORS FOR THE DEPT OF CORRECTIONS, BUT MOST OF THE STAFF MEDICAL OR D.C.C., ARE VERY INADEQUATE IN EVERY THING THAT THEY DO.

DATE RECEIVED BY MEDICAL UNIT:

THEY DO  
TREATMENT  
OR E.T.C

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

Instructions for Submitting a Regular Grievance

Inmates are required, per DOC Procedure 4.4 [Inmate Grievance Procedure] to attempt to resolve complaints prior to filing a regular grievance. Grievances are to be submitted within seven(7) days from the date of the occurrence or incident or within seven days after the inmate became aware of the incident. The grievance is to be placed in the grievance box located in each housing unit.

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Vulgar/Abusive or Threatening Language. The language that is unacceptable has been highlighted. The grievance may be resubmitted omitting this language.

Non-Grievable. This issue has been defined as non-grievable in accordance with DOC Policy 4.4. These procedures have their own appeal process that must be followed. Disciplinary Action Parole Decision  
Classification Action

Request. Requests are not processed through the grievance procedure. Please correspond with the appropriate office to secure the information that is requested.

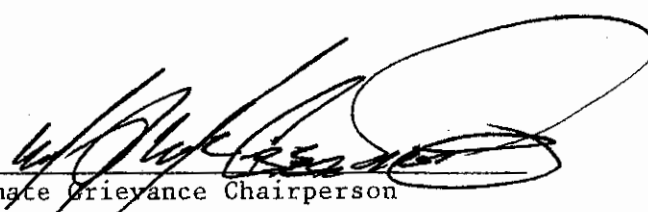
Duplicate Grievance(s). This issue has been addressed previously in Grievance # \_\_\_\_\_.

Original Grievances must be submitted to the Inmate Grievance Chairperson. Photocopies are not accepted.

Inquiry on behalf of other inmates. Inmates cannot submit grievances for other inmates.

Expired filing period. Grievance exceeds seven(7) days from date of occurrence.

*ACTION REQUESTED MUST BE SPECIFIC*

  
Inmate Grievance Chairperson

11-8-06  
Date

FORM #585

MEDICAL GRIEVANCE

FACILITY: D.C.C.  
 INMATE'S NAME: ANGELO LEE CLARK  
 HOUSING UNIT: Bldg # 19 - appu - 2 - cell

DATE SUBMITTED: 10/26/06  
 SBI#: 123209  
 CASE #: \_\_\_\_\_

SECTION #1(NURSE SUPERVISOR)  
MRS GAIL!

DATE & TIME OF MEDICAL INCIDENT: 4:45 - P.M. EVENING MEDS  
ON-11-26/06

## TYPE OF MEDICAL PROBLEM:

I ANGELO LEE CLARK, WAS GIVEN MY P.M MEDS BY NURSE BETTY, AND SHE GAVE ME 2 1/2 PERCENT 744-TABLETS OF ADDAVANT AND, WHAT MAKES ME FEEL SO UNCOMFORTABLE WITH MOST OF THE INADDAQUATE NURSE'S DISPENSING THE MEDS, THEY JUST DON'T CARE ANYTHING ABOUT THERE JOB TITLES OR LISCENCE, OR WHATEVER THEY HAD TO DO TO ACQUIRE THE POSITION. NOW SHE IS TRYING TO BRING HARM TO ME, SHE KNOWS I TAKE HEART AND BLOOD PRESSURE MED ALONG WITH THE ADDAVANT, TO MUCH ADDAVANT ALONG WITH MY OTHER MEDS WOULD KILL ME!

GRIEVANT'S SIGNATURE: Angelo Lee Clark DATE: 11/26/06

## ACTION REQUESTED BY GRIEVANT:

I SENT COPY TO MY JUDGE AND LAWYER IN DISTRICT COURT, AND I FEAR FOR MY LIFE, and I'm sending the other document to my Judge at District Court. Mrs. Gail you told me several months ago that this nurse was going to change her name!

DATE RECEIVED BY MEDICAL UNIT: \_\_\_\_\_

RECEIVED

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

DEC 01 2006

Inmate Grievance Office



Instructions for Submitting a Regular Grievance

Inmates are required, per DOC Procedure 4.4 [Inmate Grievance Procedure] to attempt to resolve complaints prior to filing a regular grievance. Grievances are to be submitted within seven(7) days from the date of the occurrence or incident or within seven days after the inmate became aware of the incident. The grievance is to be placed in the grievance box located in each housing unit.

Only one issue per grievance form will be addressed. If the grievance is submitted on a weekend or a holiday, it will be received during the next working day.

Return of Unprocessed Grievance

Intake Action: This Grievance Form is being returned to the inmate under the provisions outlined in DOC Procedure 4.4 "Inmate Grievance Procedure" for the following reason(s):

       **Vulgar/Abusive or Threatening Language.** The language that is unacceptable has been highlighted. The grievance may be resubmitted omitting this language.

       **Non-Grievable.** This issue has been defined as non-grievable in accordance with DOC Policy 4.4. These procedures have their own appeal process that must be followed.        Disciplinary Action        Parole Decision  
       Classification Action

       **Request.** Requests are not processed through the grievance procedure. Please correspond with the appropriate office to secure the information that is requested.

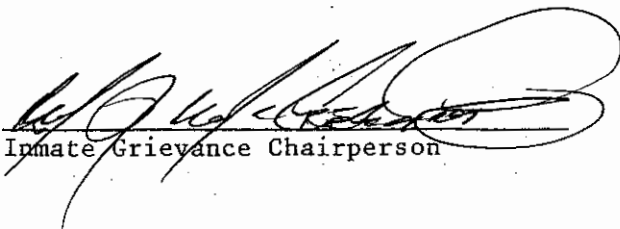
       **Duplicate Grievance(s).** This issue has been addressed previously in Grievance #                     .

       **Original Grievances must be submitted to the Inmate Grievance Chairperson.** Photocopies are not accepted.

       **Inquiry on behalf of other inmates.** Inmates cannot submit grievances for other inmates.

       **Expired filing period.** Grievance exceeds seven(7) days from date of occurrence.

*WHAT ACTION ARE YOU REQUESTING*

  
Inmate Grievance Chairperson

12-6-06  
Date

FORM #585

MEDICAL GRIEVANCE

FACILITY:

D.C.C.

DATE SUBMITTED:

11/14/06

INMATE'S NAME:

ANGELO LEE CLARK

SBI#:

123209

HOUSING UNIT:

Block #19 - upper 2 cell

CASE #:

## SECTION #1

DATE &amp; TIME OF MEDICAL INCIDENT:

1:15 P.M. AFTERNOONNurse Supervisor  
Miss Hall

TYPE OF MEDICAL PROBLEM:

I ANGELO L. CLARK, WAS CONNED BY NURSE SUPERVISOR GAIL, ALONG WITH OTHER REGIONAL MEDICAL STAFF MEMBERS EMPLOYEES THAT SHE HAD WITH HER, AND SHE TOLD AND SOMEWHAT CONVINCED ME THAT I ONLY HAD ONE HEART ATTACK, AND IT WAS ON 10/11/06, BUT SHE FORGOT ABOUT THE MAJOR HEART ATTACK I HAD IN SEPTEMBER, IT WAS SO BAD THEY KEPT ME IN KENT GENERAL HOSP - FOR OVER THREE DAYS AND SEVEN DAYS BEFORE I HAD MY FIRST HEART ATTACK NURSE DR. ORDER THAT MY BLOOD PRESSURE BE CHECKED EVERY DAY FOR 2 WEEKS PRACTICER DOCTOR

GRIEVANT'S SIGNATURE:

Angelo Lee Clark

DATE:

11/14/06DOCTOR

ACTION REQUESTED BY GRIEVANT:

I would like the lying and conning stop out of this inadequate medical system.

I've sent a copy to my attorney!

DATE RECEIVED BY MEDICAL UNIT:

FORM #585

## MEDICAL GRIEVANCE

Nurse Supervisor  
Miss Gail

FACILITY:

D.C.C.

INMATE'S NAME:

ANGELO LEE CLARK

HOUSING UNIT:

Bldg # 19 - upper 2 - cell

DATE SUBMITTED:

11/14/06

SBI#:

123209

CASE #:

84304

## SECTION #1

DATE &amp; TIME OF MEDICAL INCIDENT:

1:15 P.M. AFTERNOON

Nurse Supervisor  
Miss Gail

TYPE OF MEDICAL PROBLEM:

I INMATE ANGELO LEE CLARK WAS, CONNED BY NURSE SUPERVISOR GAIL ALONG WITH THE OTHER REGIONAL EMPLOYEES SHE HAD WITH HER, AND SHE TOLD AND SOMEWHAT CONVINCED ME THAT I ONLY HAD ONE HEART ATTACK AND THAT WAS ON 10/11/06 - BUT SHE FORGOT THE MAJOR ONE I HAD ON IN SEPTEMBER WHERE I STAYED IN KENT GENERAL HOSPITAL FOUR OVER THREE DAYS AND SEVEN DAYS BEFORE I HAD A HEART ATTACK IN SEPTEMBER MY BLOOD PRESSURE WAS SUPPOSE TO BE TAKEN ON A DAILY BASIS.

GRIEVANT'S SIGNATURE:

Angelo Lee Clark

DATE:

11/14/06

DADT

ACTION REQUESTED BY GRIEVANT:

I would like the LIEING AND CANIVING OF A INADEQUATE MEDICAL SYSTEM TO STOP, THERES A LOT OF INNOCENT SICKLY LIVES AT STAKE. ALSO IVE SENT COPY TO MY ATTORNEY.

DATE RECEIVED BY MEDICAL UNIT:

RECEIVED

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

NOV 20 2006

Inmate Grievance Office



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Inquiry on behalf of other inmates. Inmates cannot submit grievances for other inmates.

Expired filing period. Grievance exceeds seven(7) days from date of occurrence.

*YOU FAILED TO SUBSTANTIATE THE ALLEGATION  
THAT YOU WERE LIED TO. INFORMATION  
RELAYED TO YOU BY NURSE ELLER WAS  
TAKEN FROM YOUR MEDICAL FILE.*

  
Inmate Grievance Chairperson

12-1-06  
Date

DCC Delaware Correctional Center  
Smyrna Landing Road  
SMYRNA DE, 19977  
Phone No. 302-653-9261

Date: 10/11/2006

## GRIEVANCE INFORMATION - Appeal

### OFFENDER GRIEVANCE INFORMATION

|  |  |                              |
|--|--|------------------------------|
| <b>Offender Name</b> : CLARK, ANGELO L | <b>SBI#</b> : 00123209   | <b>Institution</b> : DCC     |
| <b>Grievance #</b> : 54703             | <b>Grievance Date</b> : 06/30/2006                               | <b>Category</b> : Individual |
| <b>Status</b> : Unresolved             | <b>Resolution Status</b> :                                       | <b>Inmate Status</b> :       |
| <b>Grievance Type</b> : Medical Staff  | <b>Incident Date</b> : 06/30/2006                                | <b>Incident Time</b> : 19:00 |
| <b>IGC</b> : Merson, Lise M            | <b>Housing Location</b> : Bldg 47, Lower, Tier B, Cell 7, Single |                              |

### APPEAL REQUEST

Appeal arrived 10/9/2006. Appeal accepted, Cpl Merson did not collect grievances/appeals due to being out on leave. Appeal states: I inmate Angelo Lee Clark is very unhappy with the grievance procedure that was explained to me by Capt. McCreanor and nurse supervisor Gail, about Quannie Neal's inadequacies to do her job professionally, along with a few more nurses that I can name that's nonprofessional. Over two month's ago I gave a copy of all the inadequate non professional grievances to all of my attorneys and even gave a copy to Washington DC lawyer that was hired by the state to see why there are so many medical mishaps with the medical dept. vendor's for the dept.

### REMEDY REQUEST